

Executive Summary – Enforcement Matter – Case No. 41780

Syed Nooruddin Hyder

RN102097789

Docket No. 2011-0896-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

MWD

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Riverside WWTP, located approximately 2.5 miles southwest of the intersection of Farm-to-Market Road ("FM") 2818 and FM 1688 (Leonard Road), 2,000 feet southwest of the intersection of Leonard Road and Jones Road, and five miles southwest of Bryan, Brazos County

Type of Operation:

Wastewater treatment facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: October 21, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$75,507

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$2,112

Total Due to General Revenue: \$73,395

Payment Plan: 35 payments of \$2,097 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

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Docket No. 2011-0896-MWD-E

Investigation Information

Complaint Date(s): February 23, 2011

Complaint Information: Alleged an unauthorized discharge from the Facility.

Date(s) of Investigation: March 2, 2011 and May 24, 2011

Date(s) of NOE(s): May 31, 2011 and June 3, 2011

Violation Information

1. Failed to notify the TCEQ of an unauthorized discharge within 24 hours of becoming aware of the non-compliance [Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 7.a. and 30 TEX. ADMIN. CODE § 305.125(9)(A)].
2. Failed to prevent unauthorized discharges from the wastewater collection system into or adjacent to water in the state [TPDES Permit No. WQ0011778001, Permit Conditions No. 2.g., 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a)].
3. Failed to ensure that the Facility and its components are properly operated and maintained [TPDES Permit No. WQ0011778001, Operational Requirements No. 1 and Permit Condition No. 2.d., 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TEX. WATER CODE § 26.121(a)].
4. Failed to maintain records and make them readily available for review upon request by a TCEQ representative [TPDES Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 3 and 30 TEX. ADMIN. CODE § 305.125(1)].
5. Failed to submit monitoring results at the intervals specified in the permit [TPDES Permit No. WQ0011778001, Sludge Provisions and 30 TEX. ADMIN. CODE § 305.125(17)].
6. Failed to comply with permitted effluent limits for 5-day biochemical oxygen demand, dissolved oxygen, and total suspended solids [TPDES Permit No. WQ0011778001, Effluent Limitations and Monitoring Requirements Nos. 1 and 6, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that by March 16, 2011, the Respondent has implemented the following corrective measures at the Facility:

- a. Updated the Facility's operational guidance and conducted employee training to ensure that all reporting requirements are properly accomplished and submitted notifications to the TCEQ of the two unauthorized discharges that were observed from two clean-out lines across the street from the Facility;

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b. Cleared the obstructions at the three clean-out lines to restore the flow, and cleaned the affected areas; and

c. Submitted a copy of the January 2011 discharge monitoring report.

Technical Requirements:

The Order will require the Respondent to:

a. Within 15 days, submit the annual sludge report for the reporting period ending July 31, 2010;

b. Within 30 days, ensure that the Facility and its components are properly operated and maintained to include proper operation of the clarifier and chlorine contact chamber;

c. Within 60 days, remove all accumulations of solids from the receiving stream and remove excess sludge/solids from the clarifier and chlorine contact chamber; and

d. Within 90 days, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0011778001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations and Ordering Provisions a. through c.

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Jorge Ibarra, P.E., Enforcement Division, Enforcement Team 3, MC R-04, (817) 588-5890; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

TCEQ SEP Coordinator: N/A

Respondent: Syed N. Hyder, Permittee, P.O. Box 10021, College Station, Texas 77842

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	6-Jun-2011	Screening	7-Jun-2011	EPA Due	
	PCW	10-Jun-2011				

RESPONDENT/FACILITY INFORMATION

Respondent	Syed Nooruddin Hyder		
Reg. Ent. Ref. No.	RN102097789		
Facility/Site Region	9-Waco	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	41780	No. of Violations	6
Docket No.	2011-0896-MWD-E	Order Type	Findings
Media Program(s)	Water Quality	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Jorge Ibarra, P.E.
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$20,100
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	302.0% Enhancement	Subtotals 2, 3, & 7	\$60,702
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Notes Enhancement for three orders with denial of liability, one order without denial of liability, two NOV's with same/similar violations, one NOV with dissimilar violations, and 41 months of self-reported effluent violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$1,275
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$702
Approx. Cost of Compliance \$15,375
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$79,527
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OTHER FACTORS AS JUSTICE MAY REQUIRE	-5.1%	Adjustment	-\$4,020
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes Recommend reduction in penalty amount so that monthly self-reported violations do not overly impact the penalty amount.

Final Penalty Amount	\$75,507
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$75,507
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DEFERRAL	0.0%	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$75,507
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Screening Date 7-Jun-2011

Docket No. 2011-0896-MWD-E

PCW

Respondent Syed Nooruddin Hyder

Policy Revision 2 (September 2002)

Case ID No. 41780

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102097789

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	43	215%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 302%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three orders with denial of liability, one order without denial of liability, two NOVs with same/similar violations, one NOV with dissimilar violations, and 41 months of self-reported effluent violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 302%

Screening Date 7-Jun-2011

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PCW

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Policy Revision 2 (September 2002)

Case ID No. 41780

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102097789

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 1

Rule Cite(s)

Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 7.a. and 30 Tex. Admin. Code § 305.125(9)(A)

Violation Description

Failed to notify the TCEQ of an unauthorized discharge within 24 hours of becoming aware of the non-compliance. Specifically, during the March 2, 2011 investigation, two unauthorized discharges were observed from two clean-out lines across the street from the Facility and notifications were not made until March 16, 2011.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 2

2 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$2,000

Two single events are recommended, one event for each notification.

Good Faith Efforts to Comply

25.0% Reduction

\$500

Extraordinary

Before NOV NOV to EDPRP/Settlement Offer

Ordinary

x

N/A

(mark with x)

Notes

The Respondent achieved compliance by March 16, 2011 for this violation.

Violation Subtotal \$1,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$7,159

This violation Final Assessed Penalty (adjusted for limits) \$7,159

Economic Benefit Worksheet

Respondent Syed Nooruddin Hyder
Case ID No. 41780
Reg. Ent. Reference No. RN102097789
Media Water Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	2-Mar-2011	16-Mar-2011	0.04	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	2-Mar-2011	16-Mar-2011	0.04	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update the Facility's operational guidance and conduct employee training to ensure that all reporting requirements are properly accomplished and to notify the TCEQ of the two unauthorized discharges. Date required is the investigation date and the final date is the compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$300

TOTAL

\$1

Screening Date 7-Jun-2011

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PCW

Respondent Syed Nooruddin Hyder

Policy Revision 2 (September 2002)

Case ID No. 41780

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102097789

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 2

Rule Cite(s) TPDES Permit No. WQ0011778001, Permit Conditions No. 2.g., 30 Tex. Admin. Code § 305.125(1), and Tex. Water Code § 26.121(a)

Violation Description

Failed to prevent unauthorized discharges from the wastewater collection system and the Facility into or adjacent to water in the state. Specifically, during the March 2, 2011 investigation, evidence of unauthorized discharges were observed coming from a clean-out line along Lakeside Drive and two clean-out lines across the street from the Facility.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual			X
Potential			

Percent 10%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 3

3 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,000

Three quarterly events are recommended, one event for each unauthorized discharge.

Good Faith Efforts to Comply

25.0% Reduction

\$750

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes The Respondent achieved compliance by March 16, 2011 for this violation.

Violation Subtotal \$2,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$10

Violation Final Penalty Total \$10,738

This violation Final Assessed Penalty (adjusted for limits) \$10,738

Economic Benefit Worksheet

Respondent Syed Nooruddin Hyder
Case ID No. 41780
Reg. Ent. Reference No. RN102097789
Media Water Quality
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$5,000	2-Mar-2011	16-Mar-2011	0.04	\$10	n/a	\$10
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to determine cause of the unauthorized discharges and to implement corrective measures.
Date required is the investigation date and the final date is the compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$10

Screening Date 7-Jun-2011

Docket No. 2011-0896-MWD-E

PCW

Respondent Syed Nooruddin Hyder

Policy Revision 2 (September 2002)

Case ID No. 41780

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102097789

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 3

Rule Cite(s)

TPDES Permit No. WQ0011778001, Operational Requirements No. 1 and Permit Condition 2.d., 30 Tex. Admin. Code § 305.125(1) and (5) and Tex. Water Code § 26.121(a)

Violation Description

Failed to ensure that the Facility and its components are properly operated and maintained. Specifically, during the March 2, 2011 investigation, there were excess floating solids and settled sludge in the clarifier and settled sludge in the chlorine contact chamber, resulting in a substantial accumulation of solids in the receiving stream.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 25%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to ensure that Facility and its components are properly operated and maintained resulted in the release of significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 4

97 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$10,000

Four monthly events are recommended based on the investigation date of March 2, 2011 to the screening date of June 7, 2011.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$10,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$230

Violation Final Penalty Total \$38,168

This violation Final Assessed Penalty (adjusted for limits) \$38,168

Economic Benefit Worksheet

Respondent Syed Nooruddin Hyder

Case ID No. 41780

Reg. Ent. Reference No. RN102097789

Media Water Quality

Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	2-Mar-2011	1-Feb-2012	0.92	\$230	n/a	\$230

Notes for DELAYED costs

Estimated cost to ensure that the Facility and its components are properly operated and maintained, to implement preventative corrective measures and to clean the receiving stream. Date required is the investigation date and the final date is the expected compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$230

Screening Date 7-Jun-2011
Respondent Syed Nooruddin Hyder
Case ID No. 41780
Reg. Ent. Reference No. RN102097789
Media [Statute] Water Quality
Enf. Coordinator Jorge Ibarra, P.E.

Docket No. 2011-0896-MWD-E

PCW

*Policy Revision 2 (September 2002)
PCW Revision October 30, 2008*

Violation Number 4
Rule Cite(s)

TPDES Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 3 and 30 Tex. Admin.Code § 305.125(1)

Violation Description

Failed to have records readily available for review upon request by a TCEQ representative. Specifically, during the March 2, 2011 investigation, the January 2011 discharge monitoring report was not available for review.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

1 **Number of violation days**

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$25

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance by March 16, 2011 for this violation.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$358

This violation Final Assessed Penalty (adjusted for limits) \$358

Economic Benefit Worksheet

Respondent Syed Nooruddin Hyder
Case ID No. 41780
Reg. Ent. Reference No. RN102097789
Media Water Quality
Violation No. 4

Percent Interest 5.0
Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$25	2-Mar-2011	16-Mar-2011	0.04	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to submit a copy of the January 2011 DMR to the TCEQ Regional Office. Date required is the investigation date and the final date is the compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$25

TOTAL

\$0

Screening Date 7-Jun-2011

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PCW

Respondent Syed Nooruddin Hyder

Policy Revision 2 (September 2002)

Case ID No. 41780

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102097789

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 5

Rule Cite(s)

TPDES Permit No. WQ0011778001, Sludge Provisions and 30 Tex. Admin. Code § 305.125(17)

Violation Description

Failed to submit monitoring results at the intervals specified in the permit. Specifically, the Respondent failed to submit the annual sludge report for the reporting period ending July 31, 2010 by September 1, 2010.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,000

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$3,817

This violation Final Assessed Penalty (adjusted for limits) \$3,817

Economic Benefit Worksheet

Respondent Syed Nooruddin Hyder
Case ID No. 41780
Reg. Ent. Reference No. RN102097789
Media Water Quality
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	2-Mar-2011	1-Jan-2012	0.84	\$2	n/a	\$2

Notes for DELAYED costs

Estimated cost to prepare and submit the required sludge report. Date required is the investigation date and the final date is the expected compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$2

Screening Date 7-Jun-2011

Docket No. 2011-0896-MWD-E

PCW

Respondent Syed Nooruddin Hyder

Policy Revision 2 (September 2002)

Case ID No. 41780

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102097789

Media [Statute] Water Quality

Enf. Coordinator Jorge Ibarra, P.E.

Violation Number 6

Rule Cite(s)

TPDES Permit No. WQ0011778001, Effluent Limitations and Monitoring Requirements Nos. 1 and 6, 30 Tex. Admin. Code § 305.125(1), and Tex. Water Code § 26.121(a)

Violation Description

Failed to comply with permitted effluent limits. See attached Effluent Limit Violation Table.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 10%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix
Notes

A simplified model was used to evaluate biochemical oxygen demand (5-day) to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total suspended solids and dissolved oxygen values were also considered. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 4

334

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$4,000

Four quarterly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

Notes

X	(mark with x)

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$4,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$460

Violation Final Penalty Total \$15,267

This violation Final Assessed Penalty (adjusted for limits) \$15,267

Economic Benefit Worksheet

Respondent Syed Nooruddin Hyder
Case ID No. 41780
Reg. Ent. Reference No. RN102097789
Media Water Quality
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	31-May-2010	1-Apr-2012	1.84	\$460	n/a	\$460

Notes for DELAYED costs

Estimated cost to evaluate the system to determine the cause of the exceedances and to develop and implement measures to ensure compliance with permit effluent limits. Date required is the first date of non compliance and the final date is the expected compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$460

Effluent Limit Violation Table

Syed Nooruddin Hyder

RN102097789, Case No. 41780

2011-0896-MWD-E

Jorge Ibarra, P.E.

Corresponds to Violation Number:

6

EFFLUENT PARAMETER

Permit Limit

	BOD (5-day) Daily Average Concentration	BOD (5-day) Daily Average Loading	DO Minimum	TSS Daily Average Concentration	TSS Daily Average Loading	TSS Single Grab	
Month/Year	20 mg/L	7.5 lb/day	2 mg/L	20 mg/L	7.5 lb/day	65 mg/L	
May-2010	c	c	c	22	c	c	
August-2010	25.5	c	1.87	43.5	c	c	
September-2010	c	c	c	20.5	c	c	
October-2010	c	c	c	26.5	c	c	
November-2010	c	c	c	25	c	c	
December-2010	23.5	14.047	c	41.5	27.869	66	
January-2011	32.5	c	c	77	c	129	
February-2011	c	c	c	24	c	c	
March-2011	46.5	c	c	35	c	c	

Name	Abbreviation
milligram per liter	mg/L
pounds per day	lb/day
Total Suspended Solids	TSS
Biochemical Oxygen Demand (5-day)	BOD (5-day)
Dissolved Oxygen	DO
compliant	c

Compliance History

Customer/Respondent/Owner-Operator:	CN601130842	Hyder, Syed Nooruddin	Classification: AVERAGE	Rating: 16.66
Regulated Entity:	RN102097789	RIVERSIDE WWTP	Classification: AVERAGE	Site Rating: 16.66
ID Number(s):	WASTEWATER	PERMIT		WQ0011778001
	WASTEWATER	EPA ID		TX0071145
	WATER QUALITY NON PERMITTED	ID NUMBER		090100726
	WASTEWATER LICENSING	LICENSE		WQ0011778001
Location:	approximately 2.5 miles southwest of the intersection of Farm-to-Market ("FM") Road 2818 and FM 1688 (Leonard Road), 2,000 feet southwest of the intersection of Leonard Road and Jones Road, and five miles southwest of the City of Bryan in , Brazos County, Texas			
TCEQ Region:	REGION 09 - WACO			
Date Compliance History Prepared:	June 07, 2011			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	June 07, 2006 to June 07, 2011			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Jorge Ibarra, P.E.	Phone:	(817) 588-5890	

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 Repeat Violator: YES

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 06/26/2006

ADMINORDER 2005-1895-MWD-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.039(b)
30 TAC Chapter 305, SubChapter F 305.125(9)(A)

Rqmt Prov: Monitoring and Reporting Requirements PERMIT

Description: Failure to provide an adequate description of an unauthorized discharge in a noncompliance notification report submitted to the TCEQ.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(4)

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Operational Requirements, No. 1, Pg. 9 PERMIT

Description: Failure by the permittee to properly operate the wastewater treatment system and prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission.

Classification: Major

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(4)

30 TAC Chapter 305, SubChapter F 305.125(5)

30 TAC Chapter 317 317.4(d)

30 TAC Chapter 317 317.4(g)

Rqmt Prov: Operational Requirements No. 1, Pg. 9 PERMIT

Description: Failure by the permittee to properly operate the wastewater treatment system and prevent the discharge and accumulation of sludge at the permitted outfall into or adjacent to waters in the state.

Effective Date: 03/08/2008

ADMINORDER 2007-1408-MWD-E

Classification: Major

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

Rqmt Prov: Permit Conditions No. 2.g. PERMIT

Description: Unauthorized discharge and accumulation of sewage sludge and grease into water in the state. Specifically, an accumulation of sewage sludge and grease were documented at the outfall and 35 yards downstream of the outfall. In addition, bloodworms were noted in the downstream samples

Effective Date: 02/08/2009

ADMINORDER 2008-1141-MWD-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.5(b)

Rqmt Prov: Sampling & Analysis Requirements PERMIT

Description: Failure to collect and analyze samples for required parameter(s) at the minimum frequency specified in the permit.

Effective Date: 02/07/2010

ADMINORDER 2009-0850-MWD-E

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: Monitoring and Reporting Requirements PERMIT

Description: Failure by the permittee to maintain monitoring and reporting records for a period of three years.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: Monitoring and Reporting Requirements PERMIT

Description: Failure to maintain records of monitoring information related to sewage sludge use and disposal activities for a period of at least five years.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 319, SubChapter A 319.11(a)

Rqmt Prov: Monitoring and Reporting Requirements PERMIT

Description: Failure by the permittee to comply with test procedures for the analysis of pollutants as specified in 30 TAC 319.11-319.12.

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: Operational Requirements PERMIT

Description: Failure by the permittee to ensure that all systems of collection, treatment, and disposal are properly operated and maintained.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limitations PERMIT

Description: Failure to discharge effluent in compliance with permitted effluent limitations.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Sludge Provisions PERMIT

Description: Failure to dispose of sludge in accordance with the permitted methods.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	06/26/2006	(502599)
2	08/30/2006	(508769)
3	07/17/2006	(524919)
4	03/27/2007	(535893)
5	04/12/2007	(556548)
6	07/27/2007	(566550)
7	10/25/2007	(608436)
8	01/11/2008	(623083)
9	01/11/2008	(623084)
10	01/11/2008	(623085)
11	01/11/2008	(623086)
12	01/11/2008	(623087)
13	01/11/2008	(623088)
14	01/11/2008	(623089)
15	01/21/2008	(623090)
16	01/11/2008	(623091)
17	01/11/2008	(623092)
18	01/11/2008	(623093)
19	01/11/2008	(623094)
20	01/11/2008	(623095)
21	01/11/2008	(623096)
22	01/21/2008	(623097)
23	01/11/2008	(623098)
24	01/21/2008	(623099)
25	06/12/2008	(671354)
26	02/27/2008	(674500)
27	03/26/2008	(674501)
28	04/24/2008	(674502)
29	05/20/2008	(692834)
30	06/26/2008	(692835)
31	07/29/2008	(713996)
32	09/02/2008	(713997)
33	09/24/2008	(713998)
34	10/22/2008	(713999)
35	11/20/2008	(730035)
36	01/23/2009	(730036)
37	01/23/2009	(730037)
38	06/09/2009	(739484)
39	05/19/2009	(739615)
40	03/31/2009	(740456)
41	02/25/2009	(753209)
42	03/18/2009	(753210)
43	04/21/2009	(753211)

44	05/13/2009	(770740)
45	06/10/2009	(770741)
46	01/11/2010	(785719)
47	01/09/2010	(812047)
48	08/28/2009	(812048)
49	01/07/2010	(812049)
50	10/20/2009	(812050)
51	01/09/2010	(812051)
52	01/09/2010	(812052)
53	01/20/2010	(812053)
54	07/20/2010	(824628)
55	04/22/2010	(833407)
56	05/20/2010	(833408)
57	06/27/2010	(847061)
58	07/22/2010	(861540)
59	10/06/2010	(865012)
60	08/28/2010	(867845)
61	10/25/2010	(874794)
62	10/25/2010	(874795)
63	10/08/2010	(876794)
64	10/21/2010	(882385)
65	11/21/2010	(888839)
66	02/03/2011	(897198)
67	12/20/2010	(897199)
68	01/31/2011	(903101)
69	03/02/2011	(910024)
70	03/20/2011	(917218)
71	06/03/2011	(922044)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	07/31/2006	(623089)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	08/31/2006	(623091)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	09/30/2006	(623092)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2006	(623094)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date:	11/30/2006	(623096)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date:	12/31/2006	(623098)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date:	01/31/2007	(623083)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	02/28/2007	(623084)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	03/31/2007	(623085)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	04/03/2007	(556548)	CN601130842
Self Report?	NO		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) Operational Requirements, No. 1, Pg. 9 PERMIT		
Description:	Failure by the permittee to properly operate the wastewater treatment system and prevent the discharge of wastewater into or adjacent to water in the state without authorization from the Commission.		

Self Report?	NO		Classification: Major
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) 30 TAC Chapter 317 317.4(d) 30 TAC Chapter 317 317.4(g) Operational Requirements No. 1, Pg. 9 PERMIT		
Description:	Failure by the permittee to properly operate the wastewater treatment system and prevent the discharge and accumulation of sludge at the permitted outfall into or adjacent to waters in the state.		

Self Report?	NO		Classification: Major
Citation:	2A TWC Chapter 7, SubChapter A 7.101 Ordering Provisions 2.b. and 3.c. ORDER		
Description:	Failure to Comply with Commission Order Docket No. 2005-1895-MWD-E.		

Date	04/30/2007	(623086)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	05/31/2007	(623087)	CN601130842
Self Report?	YES		Classification: Moderate

Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	06/30/2007	(623088)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	07/31/2007	(623090)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	09/30/2007	(623093)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	10/31/2007	(623095)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	11/30/2007	(623097)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	12/31/2007	(623099)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	01/31/2008	(674500)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	04/30/2008	(692834)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	05/31/2008	(692835)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	06/30/2008	(713996)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)		
	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	08/31/2008	(713998)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	09/30/2008	(713999)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	03/27/2009	(740456)	CN601130842
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(5) Operational Requirements, No. 4, Pg. 9 PERMIT		
Description:	Failure to install and subsequently maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.		

Date	04/30/2009	(770740)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	05/31/2009	(770741)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	06/30/2009	(812047)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	07/31/2009	(812048)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	08/31/2009	(812049)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	11/30/2009	(812052)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	12/31/2009	(812053)	CN601130842
Self Report?	YES		Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to meet the limit for one or more permit parameter		

Date	01/31/2010	(874794)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	03/31/2010	(874795)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	05/31/2010	(847061)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	08/31/2010	(897198)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	09/30/2010	(882385)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	10/08/2010	(876794)	CN601130842	
Self Report?	NO			Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			

Self Report?	NO			Classification: Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			

Date	10/31/2010	(888839)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	11/30/2010	(897199)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	12/31/2010	(903101)	CN601130842	
Self Report?	YES			Classification: Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			

Date	01/31/2011	(910024)	CN601130842	
Self Report?	YES			Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 02/28/2011 (917218) CN601130842
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
Date 03/31/2011 CN601130842
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A
- Sites Outside of Texas
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
SYED NOORUDDIN HYDER
RN102097789**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2011-0896-MWD-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Syed Nooruddin Hyder ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that he has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment facility approximately 2.5 miles southwest of the intersection of Farm-to-Market Road ("FM") 2818 and FM 1688 (Leonard Road), 2,000 feet southwest of the intersection of Leonard Road and Jones Road, and five miles southwest of Bryan in Brazos County, Texas (the "Facility").

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During an investigation on March 2, 2011, TCEQ staff documented that the Respondent did not notify the TCEQ of an unauthorized discharge within 24 hours of becoming aware of the non-compliance. Specifically, two unauthorized discharges were observed from two clean-out lines across the street from the Facility and notifications were not made until March 16, 2011.
4. During an investigation on March 2, 2011, TCEQ staff documented that the Respondent did not prevent unauthorized discharges from the wastewater collection system into or adjacent to water in the state. Specifically, a clean-out line along Lakeside Drive had evidence of an unauthorized discharge and two unauthorized discharges were observed from two clean-out lines across the street from the Facility.
5. During an investigation on March 2, 2011, TCEQ staff documented that the Respondent did not ensure that the Facility and its components are properly operated and maintained. Specifically, there were excess floating solids and settled sludge in the clarifier and there was settled sludge in the chlorine contact chamber. The improper operation and maintenance of the Facility resulted in substantial accumulation of solids in the receiving stream.
6. During an investigation on March 2, 2011, TCEQ staff documented that the Respondent did not have records readily available for review upon request by a TCEQ representative. Specifically, the January 2011 discharge monitoring report ("DMR") was not available for review.
7. During an record review on May 24, 2011, TCEQ staff documented that the Respondent did not submit monitoring results at the intervals specified in the permit. Specifically, the Respondent failed to submit the annual sludge report for the reporting period ending July 31, 2010 by September 1, 2010.
8. During an investigation on March 2, 2011 and a record review on May 24, 2011, TCEQ staff documented that the Respondent did not comply with permitted effluent limits as shown in the table below:

EFFLUENT PARAMETER						
Permit Limit						
	BOD (5-day) Daily Average Concentration	BOD (5-day) Daily Average Loading	DO Minimum	TSS Daily Average Concentration	TSS Daily Average Loading	TSS Single Grab
Month/Year	20 mg/L	7.5 lb/day	2 mg/L	20 mg/L	7.5 lb/day	65 mg/L
May-2010	c	c	c	22	c	c
August-2010	25.5	c	1.87	43.5	c	c
September-2010	c	c	c	20.5	c	c
October-2010	c	c	c	26.5	c	c
November-2010	c	c	c	25	c	c
December-2010	23.5	14.047	c	41.5	27.869	66
January-2011	32.5	c	c	77	c	129
February-2011	c	c	c	24	c	c
March-2011	46.5	c	c	35	c	c

BOD₅ = biochemical oxygen demand DO = dissolved oxygen c = compliant
TSS = total suspended solids lbs/day = pounds per day mg/L = milligrams per liter

9. The Respondent received notices of the violations on June 5, 2011 and June 8, 2011.
10. The Executive Director recognizes that by March 16, 2011, the Respondent has implemented the following corrective measures at the Facility:
 - a. Updated the Facility's operational guidance and conducted employee training to ensure that all reporting requirements are properly accomplished and submitted notifications to the TCEQ of the two unauthorized discharges that were observed from two clean-out lines across the street from the Facility;
 - b. Cleared the obstructions at the three clean-out lines to restore the flow, and cleaned the affected areas; and
 - c. Submitted a copy of the January 2011 DMR.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to notify the TCEQ of an unauthorized discharge within 24 hours of becoming aware of the non-compliance, in

violation of Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 7.a. and 30 TEX. ADMIN. CODE § 305.125(9)(A).

3. As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized discharges from the wastewater collection system into or adjacent to water in the state, in violation of TPDES Permit No. WQ0011778001, Permit Conditions No. 2.g., 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a).
4. As evidenced by Findings of Fact No. 5, the Respondent failed to ensure that the Facility and its components are properly operated and maintained, in violation of TPDES Permit No. WQ0011778001, Operational Requirements No. 1 and Permit Condition No. 2.d., 30 TEX. ADMIN. CODE § 305.125(1) and (5) and TEX. WATER CODE § 26.121(a).
5. As evidenced by Findings of Fact No. 6, the Respondent failed to maintain records and make them readily available for review upon request by a TCEQ representative, in violation of TPDES Permit No. WQ0011778001, Monitoring and Reporting Requirements No. 3 and 30 TEX. ADMIN. CODE § 305.125(1).
6. As evidenced by Findings of Fact No. 7, the Respondent failed to submit monitoring results at the intervals specified in the permit, in violation of TPDES Permit No. WQ0011778001, Sludge Provisions and 30 TEX. ADMIN. CODE § 305.125(17).
7. As evidenced by Findings of Fact No. 8, the Respondent failed to comply with permitted effluent limits, in violation of TPDES Permit No. WQ0011778001, Effluent Limitations and Monitoring Requirements Nos. 1 and 6, 30 TEX. ADMIN. CODE § 305.125(1), and TEX. WATER CODE § 26.121(a).
8. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
9. An administrative penalty in the amount of Seventy-Five Thousand Five Hundred Seven Dollars (\$75,507) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Two Thousand One Hundred Twelve Dollars (\$2,112) of the administrative penalty. The remaining amount of Seventy-Three Thousand Three Hundred Ninety-Five (\$73,395) of the administrative penalty shall be payable in 35 monthly payments of Two Thousand Ninety-Seven Dollars (\$2,097) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event

the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Seventy-Five Thousand Five Hundred Seven Dollars (\$75,507) as set forth in Section II, Paragraph 9 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Syed Nooruddin Hyder, Docket No. 2011-0896-MWD-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 15 days after the effective date of this Agreed Order, submit the annual sludge report for the reporting period ending July 31, 2010, in accordance with TPDES Permit No. WQ0011778001, Sludge Provisions;
 - b. Within 30 days after the effective date of this Agreed Order, ensure that the Facility and its components are properly operated and maintained to include proper operation of the clarifier and chlorine contact chamber, in accordance with TPDES Permit No. WQ0011778001, Operational Requirements;
 - c. Within 60 days after the effective date of this Agreed Order, remove all accumulations of solids from the receiving stream and remove excess sludge/solids from the clarifier and chlorine contact chamber;
 - d. Within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0011778001, including specific corrective actions that were

implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations and Ordering Provision Nos. 2.a. through 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

D. S. for R. Hyder
For the Executive Director

12-20-11
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Syed Nooruddin Hyder. I am authorized to agree to the attached Agreed Order on behalf of Syed Nooruddin Hyder, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Syed Nooruddin Hyder waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Syed N. Hyder
Signature

12/13/11
Date

SYED N. HYDER
Name (Printed or typed)
Authorized Representative of
Syed Nooruddin Hyder

12/13/11 - PERMITEE
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.